

3-04069TED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

No.	ED CV 23-00556-SSS (AS)	Date	November 13, 2023
Title	<i>Pedro Camacho-Corona v. Dr. Ortiz, et. al..</i>		

Present: The Honorable	Alka Sagar, United States Magistrate Judge
Alma Felix	Not reported
Deputy Clerk	Court Reporter / Recorder
Attorneys Present for Plaintiff:	Attorneys Present for Defendants:
Not present	Not present
Proceedings (In Chambers):	(SECOND) ORDER TO SHOW CAUSE RE LACK OF PROSECUTION

On July 27, 2023, the Court issued an Order granting Plaintiff’s request for an extension of time to file his First Amended Complaint by no later than September 11, 2023). Dkt. No. 14. Plaintiff was warned that “no further extensions [would] be granted absent extraordinary circumstances.” *Id.* When Plaintiff failed to file a First Amended Complaint by the deadline, the Court, on September 21, 2023, issued an Order to Show Cause (“OSC”) why this case should not be dismissed for failure to prosecute. (Dkt. No. 17). Plaintiff was advised that the OSC would be discharged upon the filing of a First Amended Complaint that complies with the Court’s July 11, 2023 Order Dismissing Plaintiff’s Complaint with leave to amend (Dkt. No. 11), or upon the filing of a declaration under penalty of perjury stating why Plaintiff is unable to file a First Amended Complaint. Plaintiff was “explicitly cautioned that failure to timely file a First Amended Complaint . . . will result in a recommendation that this action be dismissed for failure to prosecute and/or failure to comply with a court order.” (Dkt. No. 11 at 11).

To date, Plaintiff has failed to respond to the OSC, file a First Amended Complaint or otherwise communicate with the Court.

Accordingly, Plaintiff once again **ORDERED TO SHOW CAUSE, in writing, no later than December 4, 2023**, why this action should not be dismissed with prejudice for failure to prosecute. This Order will be discharged upon the filing of a First Amended Complaint that complies with the Court’s July 11, 2023 Order Dismissing Plaintiff’s Complaint with leave to amend (Dkt. No. 11), a copy of which is attached to this Order, or upon the filing of a declaration under penalty of perjury stating why Plaintiff is unable to file a First Amended Complaint.

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If Plaintiff no longer wishes to pursue this action, he may request a voluntary dismissal pursuant to Federal Rule of Civil Procedure 41(a)(1). A notice of dismissal form is attached for Plaintiff's convenience. Plaintiff is warned that a failure to timely respond to this Order will result in a recommendation that this action be dismissed with prejudice under Federal Rule of Civil Procedure 41(b) for failure to prosecute and obey court orders.

IT IS SO ORDERED.

cc: Sunshine Suzanne Sykes
United States District Judge

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 Initials of
Preparer
